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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARIA DEL ROCIO RAMIREZ,)	Case No. 1:21-cv-00659-EPG
)	
Plaintiff,)	STIPULATION AND ORDER FOR
)	EXTENSION OF TIME
vs.)	(ECF No. 14)
)	
KILOLO KIJAKAZI, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 45-day extension of time, from January 31, 2022 to March 17, 2022, for Plaintiff to serve on defendant with Plaintiff's Opening Brief. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this request. Counsel has recently received a greater number of Answers and Certified Administrative Records from defendant in cases in this district, and the three other California Districts, each of which require settlement negotiations or merit briefing. Counsel has a greater than usual number

1 of merit briefs due in January 2021. In the Eastern District of California, Counsel received 60
2 Certified Administrative Records for November 2021 through December 2021.

3 As to merit briefs, for the weeks of January 24, 2022 and January 31, 2022, Counsel has
4 13 merit briefs, numerous reply briefs, and EAJA Motions. Counsel also has 17 administrative
5 hearings before the Office of Hearing Operations for Social Security.

6 Due to Counsel's attempt to spread out the significant increase of briefs due for prior
7 months, in the month of January 2022, Plaintiff's Counsel has well over 34 merit briefs. And for
8 February 2022, Plaintiff's Counsel has 19 merit briefs.

9 In addition, Counsel is responsible for reviewing Appeals Council ("AC") denials for
10 possible filing in US District Court. Counsel has received an unusual and ever-increasing
11 number of AC denials which require a review for possible filing in US District Court. The AC
12 has also recently denied our extension requests at the administrative level to allow more time to
13 review those files. Therefore, Counsel is unable to push out any of the AC denials which are
14 dated within 65 days.

15 Lastly, Attorney Dolly M. Trompeter, an attorney with the firm Pena and Bromberg, PC
16 is currently out of State tending to her ill father prompting the undersigned Counsel to take on
17 additional matters on her behalf.

18 Due to the combination of the above issues, Counsel for Plaintiff has a larger than usual
19 number of briefs due for the months of January 2022 and February 2022.

20 Counsel for the Plaintiff does not intend to further delay this matter. Defendant does not
21 oppose the requested extension. Counsel apologizes to the Defendant and Court for any
22 inconvenience this may cause.

23
24 Respectfully submitted,

25 Dated: January 17, 2022

PENA & BROMBERG, ATTORNEYS AT LAW

26
27 By: /s/ Jonathan Omar Pena
JONATHAN OMAR PENA
28 Attorneys for Plaintiff

Dated: January 18, 2022

PHILLIP A. TALBERT
United States Attorney
LISA A. THOMAS
Regional Chief Counsel, Region VII
Social Security Administration

By: */s/ Sarah E. Preston
Sarah E. Preston
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on January 18, 2022)

ORDER

Based on the above stipulation (ECF No. 14), IT IS ORDERED that Plaintiff shall file Plaintiff's opening brief no later than March 17, 2022. All other deadlines in the Court's scheduling order are extended accordingly.

IT IS SO ORDERED.

Dated: **January 20, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE